

TO: PLANNING DEPARTMENT OFFICER

FROM: HOLLY PHIPPS

DATE: NOVEMBER 18, 2005

SUBJECT: A REQUEST FOR REVIEW OF A PROPOSED NEGATIVE DECLARATION BY EDWARD KERLEY AND THE OAK RIDGE HOME OWNERS, SUSAN BLAIS AND BARRY FISHER, BILL AND JANICE CURRIE, STEWART FINLAY-McLENNAN, BARBIE GRAPER, CAROLYN HENEL, BOB AND CATHY PARSONS, DENNIS AND SHARON SCHNEIDER, FOR A PROPOSED MITIGATED NEGATIVE DECLARATION FOR THE HEINBOCKEL GRADING PERMIT (PMT2004-03336) TO ALLOW GRADING FOR A SINGLE-FAMILY DWELLING AND FUTURE AGRICULTURE BUILDING THAT HAS ALREADY OCCURRED. THE GRADING HAS RESULTED IN THE DISTURBANCE OF APPROXIMATELY 23,760 SQUARE FEET ON A 48 ACRE PARCEL WITH 450 CUBIC YARDS OF CUT AND 450 CUBIC YARDS OF FILL.

RECOMMENDATION

Adopt the proposed Negative Declaration ED04-021 for Heinbockel Grading Permit PMT2004-03336 based on the findings in Exhibit A and the Mitigations in Exhibit B.

DISCUSSION

On August 5, 2005, a Mitigated Negative Declaration was issued to allow grading for a single-family dwelling and future agriculture building that has already occurred. The grading has resulted in the disturbance of approximately 23,760 square feet on a 48 acre parcel with 450 cubic yards of cut and 450 cubic yards of fill. The project site is within the Rural Land land use category and is located east of Santa Rita Old Creek Road (at 3773 Sunrise Ridge Road) approximately 4 miles west from Templeton. The site is in the Adelaida planning area.

On August 17, 2005, the Department of Planning and Building received a Request for Review of a Proposed Negative Declaration by Edward Kerley and Oak Ridge Home Owners. The following discusses the issues raised in the review under the California Environmental Quality Act.

APPEAL ISSUES

Issue 1:

Appellant Contention: The "Project Description" and "Existing Setting" in the Negative Declaration are incomplete in that they do not properly characterize the immediately surrounding area where the property is located. The applicant's property is located

within a 13-parcel gated residential subdivision commonly known as the Oak Ridge Development. These properties are members of the Oak Ridge Property Owners Association ("Homeowners' Association"), an association formed under the Davis-Stirling Common Interest Development Act. Approximately 50 percent of the parcels currently have residences built. Historically there has been some cattle grazing in this area; however, there has not been any other agricultural use within the Oak Ridge Development. The environmental impact on the surrounding community cannot be properly evaluated without consideration of the resource needs of these adjacent owners and the community and the community as a whole. Of specific and imminent concern is the availability of ground water in the immediate area. The great majority of the Oak Ridge properties lie along a ridgeline at an elevation of approximately 1,800 feet. There is no identifiable water table in this area, but rather a series of apparently loosely connected underground springs and cisterns. A private well directly across Sunrise Ridge Road, which is mistakenly labeled as Sunset Ridge Road on the Site Plan attached to the Negative Declaration ("Site Plan"), and another community well shared by three of the parcels are adjacent to the subject parcel (see attached map for location of wells in relationship to subject property). Both wells have experienced problems with water availability in the last two years. Pesticide, herbicide, erosion and noise associated with the proposed agricultural uses delineated on the Site Plan may be issues as well given the residential nature of the Oak Ridge Development.

Staff Response – The project description identifies the proposed project requested by Mr. Heinbockel as grading that has already occurred for a single-family dwelling pad and future agriculture building. This project description takes into account the immediate area to be graded by defining how much cut (450 cubic yards) and fill (450 cubic yards of fill) and total disturbance to occur (total disturbance equals 23,760 square feet on a 48 acre parcel). By defining the land use category, which is *Rural Lands*, this further elaborates the permit procedures and the standards (requirements) that are allowed on this parcel under Title 22 of County of San Luis Obispo Land Use Ordinance.

Future development of an agriculture building is an allowable use consistent with Table 2-2 (Section 22.06.030) with the proper Zoning Clearance. However, future agriculture production is not proposed as part of this project. This project is solely for the grading of the pads for a single-family dwelling and a future agriculture building as indicated on the construction permit application form.

"Existing Setting" in Section B, in the Initial Study is by County Standards an adequate representation of the general characterization of the project which is allowed under CEQA 15063 (d). This section states,

*"Contents. An Initial Study shall contain in **brief form**:*

- (2) An identification of the environmental setting;*
- (3) An identification of environmental effects by use of a **checklist**, matrix or other form ...*

The appellants also state that they are concerned with pesticide, herbicide, erosion and noise that could be associated with agricultural uses, however, once again this project is not addressing future agricultural uses, future agricultural uses are speculative at this juncture.

The water issue brought up in this section will be covered in section 3c where other issues concerning water are addressed.

Issue 2:

Appellant Contention: *Of further concern is that the applicant, Edward Heinbockel (EH), has a history of failing to comply with both the County's regulations and the Oak Ridge Property Owners' Covenants, Codes and Restrictions ("CC&Rs"). In fact EH began major grading on the parcel without a County permit or the approval of the Homeowners' Association although EH had represented to neighbors that he secured a County grading permit.*

Staff Response – Concerns or issues that Oak Ridge Property Owners have with the Covenants, Codes and Restrictions are between Mr. Heinbockel and the said property owners. Mr. Heinbockel is held liable under the provisions of the San Luis Obispo County Code – Title 22, Land Use Ordinance for all land use and development activities within the unincorporated areas of San Luis Obispo County. The project PMT2004-03336 is addressing the aforementioned grading that took place without permits.

Issue 3a:

Appellant Contention: *The "Proposed Use/Intent" section does not identify an agricultural use of the property although the proposed grading on the Site Plan clearly calls out a "staging area for agricultural machinery" in an area designated as "non-permitted grading" with 318 C.Y. cut and 265 C. Y. fill. There is no indication of what kind of machinery is anticipated in this area. Although the attached Site Plan indicates a proposed vineyard and livestock use, no detail is provided in the application and the Negative Declaration is silent on the environmental impact or mitigation for these proposed uses. It is likely that the large machinery staging area envisioned in this application may have a significant and adverse change to the physical conditions, including the availability of water for the community, and use of pesticides and noise. It should be noted as well that the Initial Study Summary at page 2 reference is made to the request of EH for grading for an agricultural building but that no detail is provided as the use of the agricultural building, impact or mitigation required. The applicant needs to specify the agricultural uses, the source of water for the agricultural use, pesticides and herbicides to be used and any mitigation measures before any meaningful review and analysis of the impacts can be completed. And while ultimately the utilization of this property is subject to the Homeowner Associations' review, we assume that the County has similar responsibilities to review the potential for a substantial and adverse environmental impact of the change in activities proposed by the applicant.*

Staff Response – Section 22.30.030, 060 states that Rural Lands use category allows an agricultural accessory structure.

Staff did not provide details for the potential future use of the agricultural building and future machinery staging area because future potential agricultural use is not part of this project. The project PMT2004-03336 is a major grading permit for a single-family dwelling and future agricultural building. Construction of the future agricultural building may be subject to a future building permit. Furthermore, grading for agricultural production may be reviewed at the time it

is proposed if the proposed use requires review subject to the County of San Luis Obispo Land Use Ordinance.

In regards to impact and mitigation, the agricultural building is an allowable use as mentioned and staff did mitigate impacts to the oak trees for the grading of the agricultural building pad. The agricultural building site was included as part of the total project because the grading for the pad had already occurred. The total project site will impact 23,760 square feet of Coastal Oak Woodlands. Staff determined that 26 trees have been impacted. The standard mitigation ratio established for impacted oak trees is 2:1. The applicant has agreed to provide planting for 26 impacted oak trees, which will result in 52 oak trees being planted.

Issue 3b:

Appellant Contention: *The Site Plan identifies 11 impacted trees and 22 mitigating trees, but does not comply with the mitigation required in Section 4, Mitigation/Conclusion, paragraph 2. Further, the locations of the new tree plantings specified on the Site Plan are inconsistent with the County's recommendations as expressed in Exhibit B, TREE REMOVAL/PROTECTION, TR-2, paragraph 2. on page 17, TR-2 paragraph 2.*

Staff Response – The Site Plan that was submitted does not reflect the correct number of trees to be replanted. The Mitigated Negative Declaration however does reflect the correct required mitigation for 26 impacted trees to be replanted in kind at a ratio of 2:1 for a total of 52 oak trees. Mr. Heinbockel has agreed in a signed Developer's Statement that he shall provide for the planting, in kind at a ratio of 2:1 for the 26 trees that have been impacted, which will total 52 oak trees. A revised Site Plan will be required prior to issuance of the Major Grading Permit to show the correct number of replacement trees.

In response to the new tree planting location, as stated in TR-2 Exhibit B, "the location of newly planted trees should adhere to the following, **whenever possible:** on the north-facing slopes..." which does not state in definite terms where the applicant should plant the new trees. Location of newly planted trees is site specific and conditions have been applied to this project to insure the trees survival. A qualified individual (e.g., landscape contractor, arborist, nurseryman, or botanist) shall be retained to submit a letter to the Environmental Coordinator indicating that the conditions have been met.

Issue 3c:

Appellant Contention: *Section 14, Impact Item #14, page 13 of the environmental checklist indicates that residential water utilization could approach 1.18 AFY. EH has not identified a water source that will provide this volume of water needed for the residential use. The Negative Declaration does not address the water required to the "agricultural machinery staging area" or the two proposed vineyards shown on the Site Plan. The Negative Declaration does not address the water needs of the tree mitigation planting referenced in 3(b) above which in itself will require irrigation for three years or more years. This matter is of particular concern in light of a substantial reduction of well water and ground water levels observed by adjacent property owners over the past 24 months, including the total loss of water in the community well last August and which is adjacent to the parcel.*

Staff Response – Using the “City of Santa Barbara Water Demand Factor & Conservation Study ‘User Guide’ (Aug., 1989) staff determined that “worst case” indoor water usage for a single-family resident would consume 0.850/unit and a small additional unit would add 0.330/unit when added together, the totaling 1.18 AFY (average use rate).

The proposed project calls for one residential dwelling consisting of 2,725 square feet and no additional secondary dwelling. The proposed project includes a garage that totals 1,675 square feet.

If you apply the “User Guidelines” from the City of Santa Barbara for a *small* single-family residence up to 9,999 square feet, the water consumption is actually lower. According to this calculation this single-family residence would consume .03330 per unit. Therefore, the water consumption in the initial study for the “worst case” indoor usage is 1.18 AFY and the likely water usage for the proposed project indoor water usage would be 0.330 AFY which is lower than the worst case scenario.

Furthermore, a pump test was required for the Building Permit in regards to the single-family dwelling per Title 19.20.236. A 4-hour pump test was performed for Building Permit (PMT2004-01063). The pump test requires that a well yield more than 5 gallons per minute. The pump test for this parcel, performed by Miller Drilling Company, indicated a yield of 16 gallons per minute.

The appellants also stated that the Negative Declaration does not address the water required for the “agricultural machinery staging area” or the two proposed vineyards shown on the Site Plan. As discussed earlier, the two proposed vineyards shown on the site plan are not part of this project. The area shown on the site plan as the agricultural machinery staging area is included in this project as a potential site for a future agricultural accessory structure. Under Title 22 of the Land Use Ordinance, Agricultural Accessory Structures are a permitted use in the Rural Lands land use category. In the Rural Lands land use category, Agricultural Accessory Structures and Crop Production are allowable uses that are subject to the land use permit required by specific use standards in Section 22.30.30, 60 and subject to land use permit required by Section 22.06.30, Table 2-3.

Issue 3d:

Appellant Contention: Section Item #16, page 15, Mandatory Findings of Significance: Unlike previous sections of the report there are no explanations of items (a) and (b), and no mitigation recommendations are specified. For instance, the impact of the proposed agricultural machinery and vineyard shown on the Site Plan has not been considered.

Staff Response – Section 16 is used to summarize the project as a whole thus, no detailed description is given. The detailed information is located within the specific category in the Mitigated Negative Declaration.

Issue 3e:

Appellant Contention: Item # 7, page 8, Hazardous Materials: The site currently has a 500 gallon above ground diesel fuel tank installed without approval of the Homeowner’s Association. This tank is not addressed in the Initial Report or indicated on the Site Plan and represents an environmental and fire risk.

Staff Response – Prior contracts of conditions that Ed Heinbockel has with Oak Ridge Home Owners is not considered in this process. In addition, the storage of flammable and combustible liquids is not part of the project description. As proposed, flammable and combustible storage is an allowed use (see section below).

However, Section 22.10.070 in the Land Use Ordinance states:

“Flammable and Combustible Liquids Storage does not require a land use permit for the storage of flammable or combustible liquids, except where the quantity stored exceeds the limitations specified in Subsection D.

D. Limitations on quantity. The quantity of flammable or combustible liquids stored on a site shall be limited as follows.

2. Other areas. Storage shall be limited to the following quantities on any single building site, unless greater quantities are authorized through Conditional Use Permit or Minor Use Permit approval.

Maximum Quantity Allowed Based on Type of Storage
Type of Liquid Aboveground Underground
Combustible 20,000 gallons No limitation
Flammable 2,000 gallons 20,000 gallons”

Issue 3f:

Appellant Contention: *The non-permitted earthen berm constructed along Sunrise Ridge Rd. (misabeled on the Site Plan as Sunset Ridge Road) has been built without a permit across an existing drainage channel which may adversely impact the road, aquifer and ground water run-off. The environmental impact of this project cannot be completely evaluated without an engineered drainage plan for the site's development.*

Staff Response – The Building Department and Department of Public Works of San Luis Obispo will verify the accuracy of the drainage plan if one is required.

As-built grading poses unique problems because plan review and inspections occur after work has been performed. The applicant was required to secure a Registered Civil Engineer to prepare necessary plans showing all work performed. The licensed professional shall certify that the work performed meets the California Building Code and County Ordinances. No additional grading will be allowed without proper permits.

On June 30, 2005 an As-Built-Grading Plan PMT2004-01063 was completed. Per the as-built-grading plan all grading and construction shall conform to the following codes:

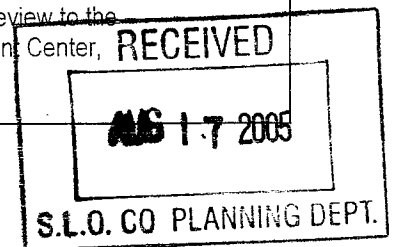
CBC-2001	California Building Code
CPC-2001	California Plumbing Code
CMC-2001	California Mechanical Code
CEC-2001	California Electrical Code
Title 19	County Building and Construction Code
Title 20	County Land Use Ordinance
Title 24	California State Energy and Accessibility Standards
GradingUBC	Appendix Chapter 33



San Luis Obispo County
Department of Planning and Building
Environmental Division

REQUEST FOR REVIEW OF A PROPOSED NEGATIVE DECLARATION	
1. PERSON FILING THE REQUEST:	
Name	EDWARD LERLEY ; OAK RIDGE HOME OWNERS
Address	8 MOUNTAIN VIEW PLACE PER ATTACHED LETTER LAFAYETTE, CA 94549
Phone #	408. 325. 4452 (daytime)
2. NAME OF PROJECT:	HEINBOCKEL GRADING PERMIT PMT 2004-03336
3. REASONS FOR REQUEST FOR REVIEW:	A letter stating your reasons for filing a Request for Review of the proposed Negative Declaration must be attached. Issues must be related to the environmental effects of the project.
4. FILE REVIEW	The person(s) filing the request has reviewed the project files and environmental information and has met with Environmental Division staff to discuss the Request for Review: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
5. SIGNATURES	I/we hereby request a review of the proposed Negative Declaration. Signed: <u>E. Lerley</u> <u>8/17/05</u> Name Date Signed: <u>SEE ATTACHED LETTER FOR</u> <u>DATE</u> Name Date Signed: <u>COMPLETE LIST</u> <u>DATE</u> Name Date
6. FEES	Your Request for Review must be accompanied by the appropriate fee. This fee is currently \$55. Please include a check, made out to "The County of San Luis Obispo" for this amount.
7. WHERE TO SUBMIT THIS FORM	Submit this completed form and your letter describing the reasons for the request for review to the Environmental Division of the Department of Planning and Building, County Government Center, San Luis Obispo, CA 93408 (805) 781-5600.

Received 8/17/05 Spd



By Federal Express

August 17, 2005

County of San Luis Obispo Department of Planning & Building
Environmental Division
Department of Planning and Building
County Government Center, Room 310
San Luis Obispo, California 93408-2040

**Re: Environmental Determination No. ED04-021
Heinbockel Grading Permit PMT2004-03336**

To Whom It May Concern:

The undersigned property owners in the Oak Ridge Development (Parcel Map Number CO-75-201) have serious concerns pertaining to the above referenced proposed project and the proposed Mitigated Negative Declaration & Notice of Determination dated August 4, 2005 ("Negative Declaration"). These concerns have been orally shared with County staff and include the following:

1. The "PROJECT DESCRIPTION" and "EXISTING SETTING" in the Negative Declaration are incomplete in that they do not properly characterize the immediately surrounding area where the property is located. The applicant's property is located within a 13-parcel gated residential subdivision commonly known as the Oak Ridge Development. These properties are members of the Oak Ridge Property Owners Association ("Homeowners' Association"), an association formed under the Davis-Stirling Common Interest Development Act. Approximately 50 percent of the parcels currently have residences built. Historically there has been some cattle grazing in this area; however, there has not been any other agricultural use within the Oak Ridge Development. The environmental impact on the surrounding community cannot be properly evaluated without consideration of the resource needs of these adjacent owners and the community as a whole. Of specific and imminent concern is the availability of ground water in the immediate area. The great majority of the Oak Ridge properties lie along a ridgeline at an elevation of approximately 1800 feet. There is no identifiable water table in this area, but rather a series of apparently loosely connected underground springs and cisterns. A private well directly across Sunrise Ridge Road, which is mistakenly labeled as Sunset Ridge Road on the Site Plan attached to the Negative Declaration ("Site Plan"), and another community well shared by three of the parcels are adjacent to the subject parcel (see attached map for location of wells in relationship to subject property). Both wells have experienced problems with water availability in the last two years. Pesticide, herbicide, erosion and noise associated with the proposed agricultural uses delineated on the Site Plan may be issues as well given the residential nature of the Oak Ridge Development.

2. Of further concern is that the applicant, Edward Heinbockel (EH), has a history of failing to comply with both the County's regulations and the Oak Ridge Property Owners' Covenants, Codes and Restrictions ("CCRs"). In fact EH began major grading on the parcel without a County permit or the approval of the Homeowners' Association although EH had represented to neighbors that he had secured a County grading permit.

3. The Negative Declaration and Initial Study Summary – Environmental Checklist is incomplete as follows:

- a. The "PROPOSED USE/INTENT" section does not identify an agricultural use of the property although the proposed grading on the Site Plan clearly calls out a "staging area for agricultural machinery" in an area designated as "non-permitted grading" with 318 C.Y. cut and 265 C.Y. fill. There is no indication of what kind of machinery is anticipated in this area. Although the attached Site Plan indicates a proposed vineyard and livestock use, no detail is provided in the application and the Negative Declaration is silent on the environmental impact or mitigation for these proposed uses. It is likely that the large machinery staging area envisioned in this application may have a significant and adverse change to the physical conditions, including the availability of water for the community, and use of pesticides and noise. It should be noted as well that in the Initial Study Summary at page 2 reference is made to the request of EH for grading for an agriculture building but that no detail is provided as the use of the agricultural building, impact or mitigation required. The applicant needs to specify the agricultural uses, the source of water for the agricultural use, pesticides and herbicides to be used and any mitigation measures before any meaningful review and analysis of the impacts can be completed. And while ultimately the utilization of this property is subject to the Homeowner Associations' review, we assume that the County has similar responsibilities to review the potential for a substantial and adverse environmental impact of the change in activities proposed by the applicant.
- b. The Site Plan identifies 11 impacted trees and 22 mitigating tree plantings, but does not comply with the mitigation required in Section 4., Mitigation/Conclusion, paragraph 2. Further, the locations of the new tree plantings specified on the Site Plan are inconsistent with the County's recommendations as expressed in Exhibit B, TREE REMOVAL/PROTECTION, TR-2, paragraph 2. on page 17, TR-2, paragraph 2.
- c. Section 14, Impact Item #14, page 13 of the environmental checklist indicates that residential water utilization could approach 1.18 AFY. EH has not identified a water source that will provide this volume of water needed for the residential use. The Negative Declaration does not address the water required related to the "agricultural machinery staging area" or the two proposed vineyards shown on the Site Plan. The Negative Declaration does not address the water needs of the tree mitigation planting referenced in 3(b) above which in and of itself will require irrigation for three or more years. This

matter is of particular concern in light of a substantial reduction of well water and ground water levels observed by adjacent property owners over the past 24 months, including the total loss of water in the community well last August and which is adjacent to this parcel.

- d. Section Item #16, page 15, Mandatory Findings of Significance: Unlike previous sections of the report there are no explanations of items (a) and (b), and no mitigation recommendations are specified. For instance, the impact of the proposed agricultural machinery and vineyard shown on the Site Plan has not been considered.
- e. Item #Section 7, page 8, Hazardous Materials: The site currently has a 500 gallon above ground diesel fuel tank installed without approval of the Homeowners' Association. This tank is not addressed in the Initial Report or indicated on the Site Plan and represents an environmental and fire risk.
- f. The non-permitted earthen berm constructed along Sunrise Ridge Rd. (mislabeled on the Site Plan as Sunset Ridge Road) has been built without a permit across an existing drainage channel which may adversely impact the road, aquifer and ground water run-off. The environmental impact of this project cannot be completely evaluated without an engineered drainage plan for the site's development.

In summary, we believe that the County does not yet have sufficient information from the applicant about all elements of the proposed uses and that it would be an abuse of discretion to adopt the proposed Negative Declaration without having the necessary information to evaluate the environmental impact of this project in what is primarily a residential subdivision.

Oak Ridge Owners:

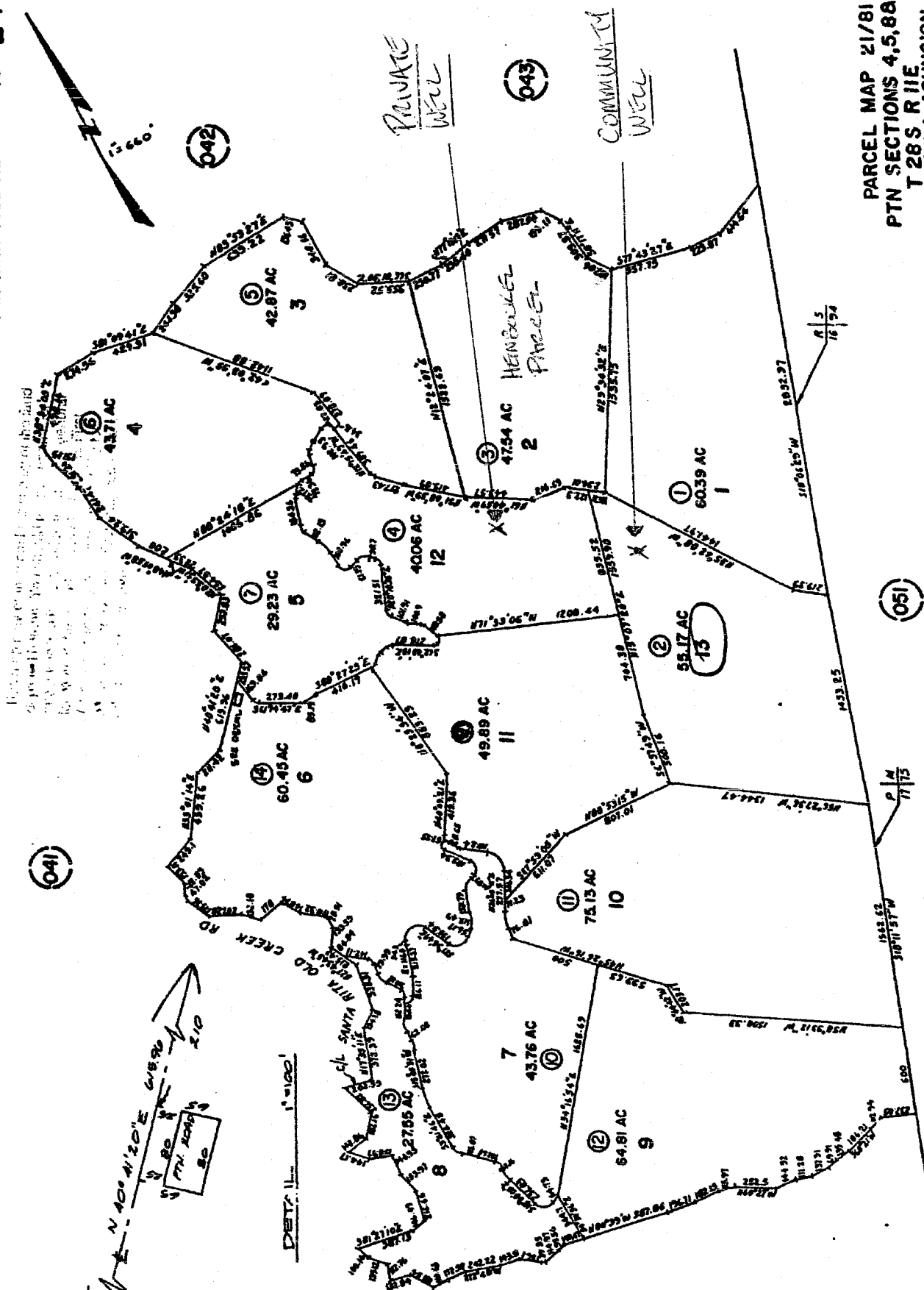
Susan Blais and Barry Fisher
Bill and Janice Currie
Stewart Finlay-McLennan
Barbie Graper
Edward Kerley and Carolyn Henel
Bob and Cathy Parsons
Dennis and Sharon Schneider

1.800.527.9663
• 9:00am - 5:00pm

TAX AREA CODE NO. 46-24

PARCEL MAP 21/81
PTN SECTIONS 4,5,8&9
T28S R11E
RANCHO LA ASUNCION
SAN LUIS CRISPO COUNTY
CALIFORNIA

EB-91-11 May





8/19/2005
9:12:30AM

San Luis Obispo County Department of Planning and Building

County Government Center

San Luis Obispo, California 93408

Telephone: (805) 781-5600

Receipt #: 22200500000000000296

Date: 08/19/2005

Line Items:

Case No	Last Name	Tran Code	Description	Revenue Account No	Amount Paid
		APPEAL ENV	Appeal Environmental Determination -	1420000-1000000000-142S59	55.00
				PEDG -4350480	
Line Item Total:					\$55.00

Payments:

Method	Payer	Bank No	Account No	Confirm No	How Received	Amount Paid
Check	EDWARD KERLEY		245		In Person	55.00
Payment Total:						\$55.00

Balance


EDWARD KERLEY
CAROLYN E HENEL
1102 GRANDVIEW DR
BERKELEY, CA 94705

245

Date 8.17.2005 11-35/1210
251

Pay to the order of COUNTY OF SAN LUIS OBISPO \$ 55.-

FIFTY-FIVE & 00/100 Dollars

 Security features
are included.
Details on back.

Bank of America.

Oakland Main
300 Lakeside Dr
Oakland CA
510.649.5000



VALUED
Customer Since
2002

For REQUEST FOR REVIEW

E. Henel

MP

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Heinbockel Grading Permit ED05-021 PMT2004-03336

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

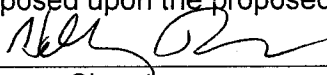
<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input checked="" type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

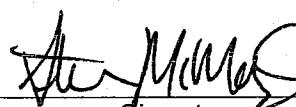
- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Holly Phipps
Prepared by (Print)


Signature

July 15, 2005
Date

Steven McMaster
Reviewed by (Print)


Signature

Ellen Carroll,
Environmental Coordinator
(for)


Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by Ed Heinbockel for a proposal of grading for a single-family dwelling and future agriculture building that has already occurred. The grading has resulted in the disturbance of approximately 23,760 square feet on a 48 acre parcel with 450 cubic yards of cut and 450 cubic yards of fill. The project site is within the Rural Land land use category and is located east of Santa Rita Old Creek Road (at 3773 Sunrise Ridge Road) approximately 4 miles west from Templeton. The site is in the Adelaida planning area.

ASSESSOR PARCEL NUMBER(S): 046-241-003

SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: Adelaida, Rural

LAND USE CATEGORY: Rural Lands

COMBINING DESIGNATION(S): None

EXISTING USES: Undeveloped

TOPOGRAPHY: Steeply sloping to moderately sloping

VEGETATION: Grasses

PARCEL SIZE: 48 acres

SURROUNDING LAND USE CATEGORIES AND USES:

<i>North:</i> Rural Lands; undeveloped	<i>East:</i> Rural Lands; scattered dwelling
<i>South:</i> Rural Lands; undeveloped	<i>West:</i> Agriculture; undeveloped

C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with

the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Create glare or night lighting, which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The area's topography consists of steep hillsides slopes. The project is located on relatively steep slopes. The existing vegetation on the project site consists of Coastal Oak Woodlands. The proposed project can be seen from Sunrise Ridge Road but will be aesthetically consistent with residential development that has occurred within the area. The project is considered compatible with surrounding uses.

Impact. No significant visual impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

2. AGRICULTURAL RESOURCES - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The soil types include: Lompico-McMullin complex, (50 - 75 % slope), Millsholm-Dibble clay loams, (15 - 30 % slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI - VII", and the "irrigated" soil class is "NA".

Impact. The project is located in a predominantly non-agricultural area with no agricultural activities occurring on the property or immediate vicinity. No significant impacts to agricultural resources are anticipated.

Mitigation/Conclusion. No mitigation measures are necessary.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project specific impacts and help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD).

Impact. As proposed, the project will result in the disturbance of approximately 23,760 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

Mitigation/Conclusion. No mitigation measures are necessary.

4. BIOLOGICAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Coastal Oak woodland
Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: None

Wildlife: None

Habitats: Coastal Oak Woodlands

Impact. The project site will impact 23,760 square feet area of Coastal Oak woodlands. A site visit was completed by Josh LeBombard to determine the number of trees impacted. As a result of the site visit, it was determined that 26 trees have been impacted.

Mitigation/Conclusion.

All trees on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g. with flagging) and their root zone fenced prior to any grading.

The standard mitigation ratio established for impacted oak trees is 2:1. The applicant has agreed to provide for planting, in kind at a ratio of 2:1, of oak trees to mitigate for the 26 trees impacted. A total of 52 oak trees will be required to be mitigated for the impacted trees.

As a result of this project, newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g. deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g. drip-irrigation system). Watering shall be controlled so only enough is used to initially establish the tree. Planting during the driest months (June through September) shall be avoided.

To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g. arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. The mitigation measures are listed in detail in Exhibit B Mitigation Summary Table.

5. CULTURAL RESOURCES -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is located in an area historically occupied by the southern Salinan and northern Chumash . No historic structures are present and no paleontological resources are known to exist in the area.

Impact. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation. No evidence of cultural materials was noted on the property. Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary

6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. GEOLOGY - The topography of the project site is moderately sloped. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered high. The liquefaction potential during a ground-shaking event is considered low.

No active faulting is known to exist on or near the subject property. The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO) section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Santa Rita Creek) from the proposed development is approximately .33 miles to the north. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered moderately to very poorly drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION – The soil types include: Lompico-McMullin complex, (50 - 75 % slope), Millsholm-Dibble clay loams, (15 - 30 % slope). As described in the NRCS Soil Survey, the soil surface is considered to have low to high erodibility and low to high shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension that monitors this program.

Impact. As proposed, grading for the project has resulted in the disturbance of approximately 23,760 square feet on moderately sloped topography, which is between 0-20%.

Mitigation/Conclusion. During construction, the applicant shall implement erosion control measures as required by the San Luis Obispo County Land Use Ordinance. If grading is to occur during the rainy season (October 15 to April 15), the applicant shall submit, by September 15th a wet season sedimentation and erosion control plan and implement the plan as required by the County Land Use Ordinance. There is no evidence that measures above what will already be required by the ordinance of codes are needed.

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. To minimize significant fire safety impacts, the applicant agrees to a fire safety plan that will be required during Building Permit Issuance.

8. NOISE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Expose people to noise levels that exceed the County Noise Element thresholds?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Generate increases in the ambient noise levels for adjoining areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to severe noise or vibration?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g. residences).

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station is approximately 8 miles to the north. The closest Sheriff substation is in Templeton, which is approximately 7 miles from the proposed project. The project is located in the Templeton Unified School District.

Impact. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Fire and Police: Impact fees are charged new development, to help pay the cost of providing new facilities to serve the expanding rural areas. The current fire and police stations are adequate to accommodate additional residential uses in this area.

Schools: At buildout, the County's population will overburden the existing school system unless additional classroom space is added. State law restricts mitigation of school impacts to the levying of these fees and other measures adopted by the school district. Provision of adequate facilities for the population is the responsibility of the school district. Fees will be required through construction permits for each of the new residential structure

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

Impact. The proposed project will not create a significant need for additional park or recreational resources.

Mitigation/Conclusion. No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. Future development will access onto the following public road(s): Santa Rita Road. The identified roadway is operating at acceptable levels. Referrals were sent to Public Works/Caltrans. No significant traffic-related concerns were identified.

Impact. The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of 10/unit. This small amount of additional traffic will not result in a significant change to the existing road service or traffic safety levels.

Mitigation/Conclusion. No significant traffic impacts were identified, and no mitigation measures are necessary.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: slow percolation steep slopes, shallow depth to bedrock limitations identified. These limitations are summarized as follows:

Shallow Depth to Bedrock – indicates that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, chances increase for the effluent to infiltrate cracks that could lead directly to groundwater sources or near wells without adequate filtering, or allow effluent to daylight where bedrock is exposed to the earth's surface. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as borings at leach line locations, to show that there will be adequate separation between leach line and bedrock.

Steep Slopes – where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent "daylighting" to the ground surface.

Slow Percolation – is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that shows the leach area can adequately percolate to achieve this threshold.

Impact. The project proposes to use an on-site system as its means to dispose wastewater. Based on the proposed plans, adequate area appears available for an on-site system.

Mitigation/Conclusion. (On-site) The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting. The project proposes to use an on-site well as its water source

The topography of the project is nearly level. The closest creek (Santa Rita Creek) from the proposed development is approximately .33 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have low erodibility.

Impact. As proposed, the project will result in the disturbance of approximately 23,760 square feet. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 1.18 acre feet/year (AFY)

$$1 \text{ residential lots (w/primary (0.85 afy) \& secondary (0.33 afy) X 10 lots) = 1.18 afy}$$

Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:

Potentially Significant

Impact can & will be mitigated

Insignificant Impact

Not Applicable

a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

☐
☒
☐
☐

b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*

☐
☒
☐
☐

c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

☐
☐
☒
☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input type="checkbox"/>	County Public Works Department	Not Applicable
<input type="checkbox"/>	County Environmental Health Division	Not Applicable
<input type="checkbox"/>	County Agricultural Commissioner's Office	Not Applicable
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input type="checkbox"/>	Air Pollution Control District	Not Applicable
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

**** "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

☒ Project File for the Subject Application

County documents

- ☐ Airport Land Use Plans
- ☒ Annual Resource Summary Report
- ☐ Building and Construction Ordinance
- ☐ Coastal Policies
- ☒ Framework for Planning (Coastal & Inland)
- ☒ General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:
 - ☒ Agriculture & Open Space Element
 - ☒ Energy Element
 - ☒ Environment Plan (Conservation, Historic and Esthetic Elements)
 - ☒ Housing Element
 - ☒ Noise Element
 - ☐ Parks & Recreation Element
 - ☒ Safety Element
- ☒ Land Use Ordinance
- ☐ Real Property Division Ordinance
- ☐ Trails Plan
- ☐ Solid Waste Management Plan

☐ Area Plan
and Update EIR

☐ Circulation Study

Other documents

- ☒ Archaeological Resources Map
- ☒ Area of Critical Concerns Map
- ☒ Areas of Special Biological Importance Map
- ☒ California Natural Species Diversity Database
- ☒ Clean Air Plan
- ☒ Fire Hazard Severity Map
- ☒ Flood Hazard Maps
- ☒ Natural Resources Conservation Service Soil Survey for SLO County
- ☒ Regional Transportation Plan
- ☒ Uniform Fire Code
- ☒ Water Quality Control Plan (Central Coast Basin – Region 3)
- ☒ GIS mapping layers (e.g., habitat, streams, contours, etc.)
- ☐ Other _____

Exhibit B - Mitigation Summary Table

TREE REMOVAL/PROTECTION

- TR-1 The applicant shall limit tree removal to no more than 0 trees having a five inch diameter or larger at four feet from the ground *and no more than 26 trees impacted*. Construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.
- TR-2 At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio for all *oak* trees removed as a result of the development of the project , *and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed*. No Oaks shall be removed as a result of the development of the project, and no more than 26 trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). [*An oak tree is defined as having a five inch diameter or larger at four feet from the ground.*]

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Once trees have been planted and prior to final inspection of the grading permit, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the *Environmental Coordinator*.

- TR-3 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the

initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

- TR-4 Prior to occupancy or final inspection, whichever occurs first, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3-foot radius from center of plant), or hand removal of weeds (covering at least a 3-foot radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis [at least once in late spring (April) and once in early winter (December) until plant is 3 feet tall or seven years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.
- TR-5 All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., tilling).
- TR-6 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in anyone season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

TR-7 To minimize impacts to the sensitive oak woodland understory habitat (e.g. maritime chaparral, coastal scrub), the applicant agrees to the following during construction and for the life of the project:

- a. All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.
- b. Vegetation removal of native habitat shall be limited to what is shown on the county-approved grading/ construction /improvement plans.
- c. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).
- d. No livestock shall be allowed within the native habitat area.
- e. All allowed uses within the native habitat area shall be “passive”, where the use will have either no or minimal impact on the habitat.

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ENV DIV PLAN CO OF SLO

Date: July 20, 2005

Developer's Statement
for
Heinbockel Grading Permit PMT2004-03336

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

The following mitigation measures address impacts that may occur as a result of the development of the project.

TREE REMOVAL/PROTECTION

TR-1 The applicant shall limit tree removal to no more than 0 trees having a five inch diameter or larger at four feet from the ground *and no more than 26 trees impacted*. Construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.

Monitoring: Department of Planning and Building will verify inclusion of required elements on plans. Building inspector will verify compliance with approved plans.

TR-2 At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio for all oak trees removed as a result of the development of the project, *and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed*. **No Oak shall be removed as a result of the development of the project, and no more than 26 trees shall be impacted, but not removed, as a result of the development of the project.** Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer). *[An oak tree is defined as having a five inch diameter or larger at four feet from the ground.]*

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Once trees have been planted and prior to final inspection of the grading permit, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the *Environmental Coordinator*.

Monitoring: Compliance will be verified by the Department of Planning and Building in consultation with the Environmental Coordinator.

- TR-3 To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

Monitoring: Compliance will be verified by the Environmental Coordinator.

- TR-4 Prior to occupancy or final inspection, whichever occurs first, the applicant shall have completed the following as it relates to weed removal around newly planted vegetation: 1) no herbicides shall have been used; 2) either installation of a securely staked "weed mat" (covering at least a 3-foot radius from center of plant), or hand removal of weeds (covering at least a 3-foot radius from center of plant) shall be completed for each new plant (this hand removal weeding shall be kept up on a regular basis [at least once in late

spring (April) and once in early winter (December) until plant is 3 feet tall or seven years, whichever occurs first. Use of weed-free mulch (at least 3" deep) with regular replenishment may be substituted for the weed-mat.

Monitoring: Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

- TR-5 All oak trees identified to remain shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g., pavement); disturbance of soil that impacts roots (e.g., rilling).

Monitoring: Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on tree protection issues.

- TR-6 The applicant recognizes that trimming of oaks can be detrimental in the following respects and agrees to minimize trimming of the remaining oaks: removal of larger lower branches should be minimized to 1) avoid making tree top heavy and more susceptible to "blow-overs", 2) reduce having larger limb cuts that take longer to heal and are much more susceptible to disease and infestation, 3) retain the wildlife that is found only in the lower branches, 4) retains shade to keep summer temperatures cooler (retains higher soil moisture, greater passive solar potential, provides better conditions for oak seedling volunteers) and 5) retain the natural shape of the tree. Limit the amount of trimming (roots or canopy) done in any one season as much as possible to limit tree stress/shock (10% or less is best, 25% maximum). Excessive and careless trimming not only reduces the potential life of the tree, but can also reduce property values if the tree dies prematurely or has an unnatural appearance. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species.

Smaller trees (smaller than five inches in diameter at four feet above the ground) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

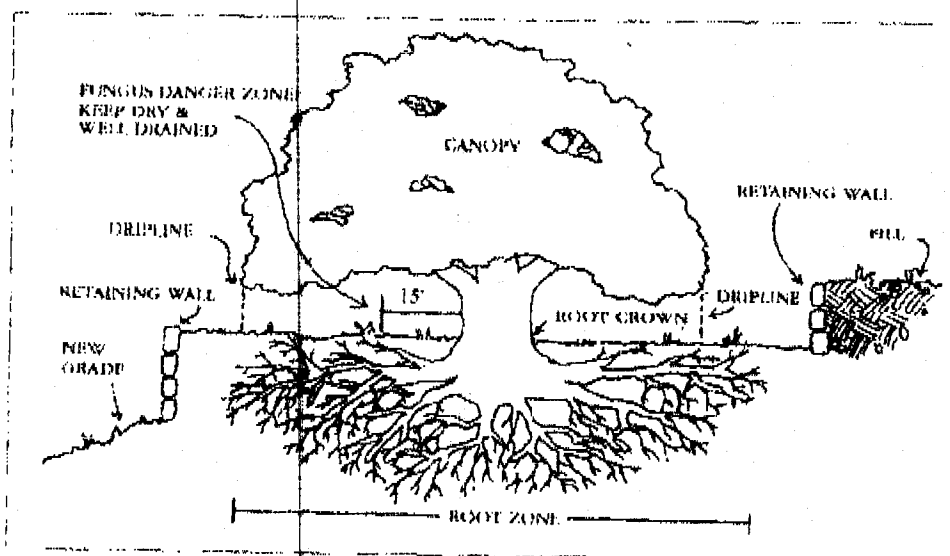
Monitoring: Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on tree trimming issues.

- TR-7 To minimize impacts to the sensitive oak woodland understory habitat (e.g. maritime chaparral, coastal scrub), the applicant agrees to the following during construction/ tract

improvements and for the life of the project:

- a. All native vegetation removal shall be shown on all applicable grading/ construction or improvement plans, and reviewed/ approved by the County (Planning and Building Dept.) before any work begins.
- b. Vegetation removal of native habitat shall be limited to what is shown on the county-approved grading/ construction /improvement plans.
- c. Vegetation clearance for fire safety purposes shall be limited to the minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).
- d. No livestock shall be allowed within the native habitat area.
- e. All allowed uses within the native habitat area shall be "passive", where the use will have either no or minimal impact on the habitat.
- f. Any CC&R's created shall include the above provisions to minimize impacts to the native habitat.

Monitoring: Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on native vegetation removal/protection issues.



Jul 20 05 12:19p

Env Div Plan Co of SLO

(805)788-2413

P. /

Contact Information

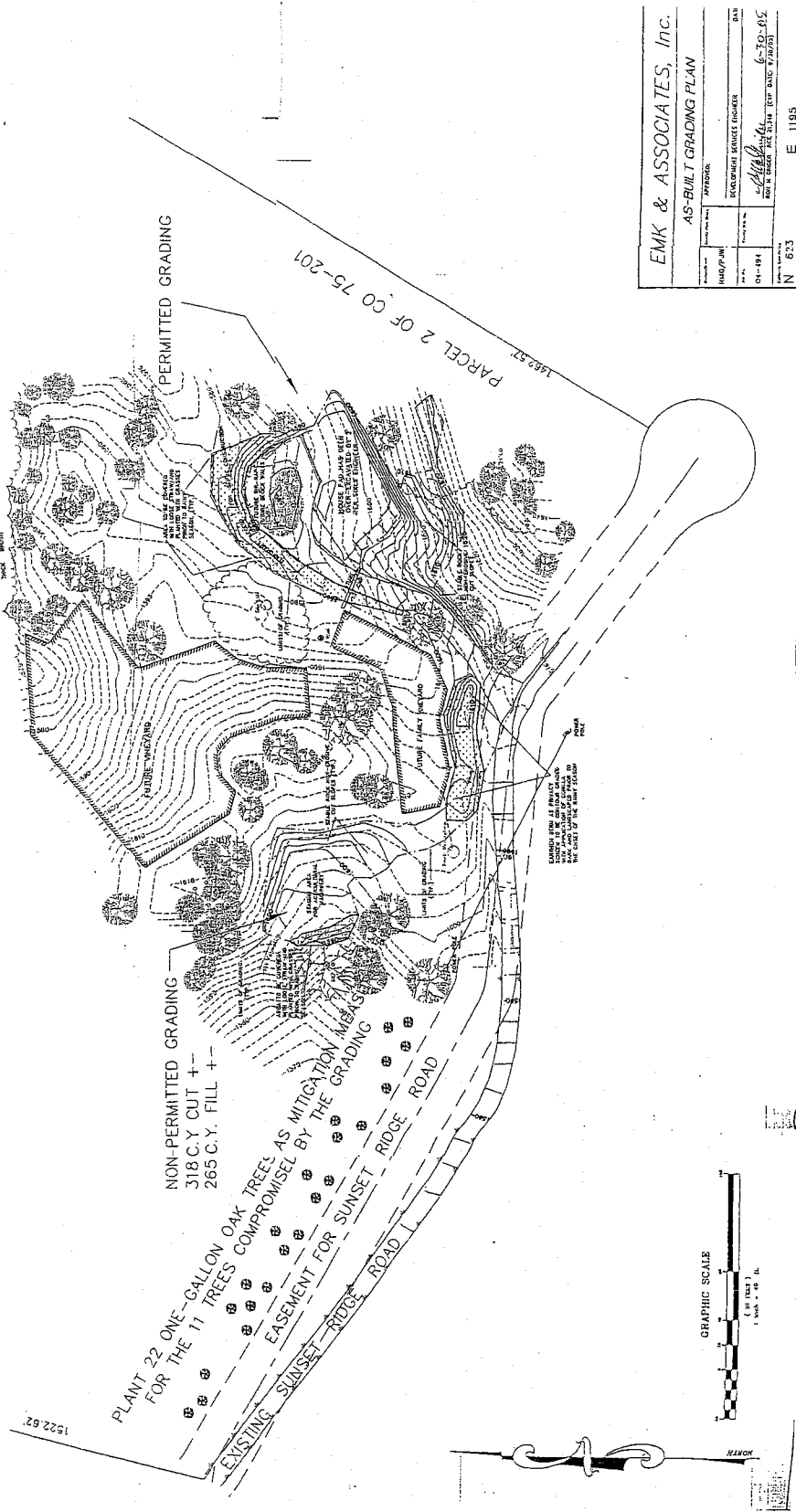
County of San Luis Obispo
Department of Planning and Building
Division of Environmental and Resource Management
County Government Center, Room 310
San Luis Obispo, CA 93408
ATTN: Ms. Julie Eliason

The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.

Signature of Owner(s)

Date

Name (Print)



EXHIBIT

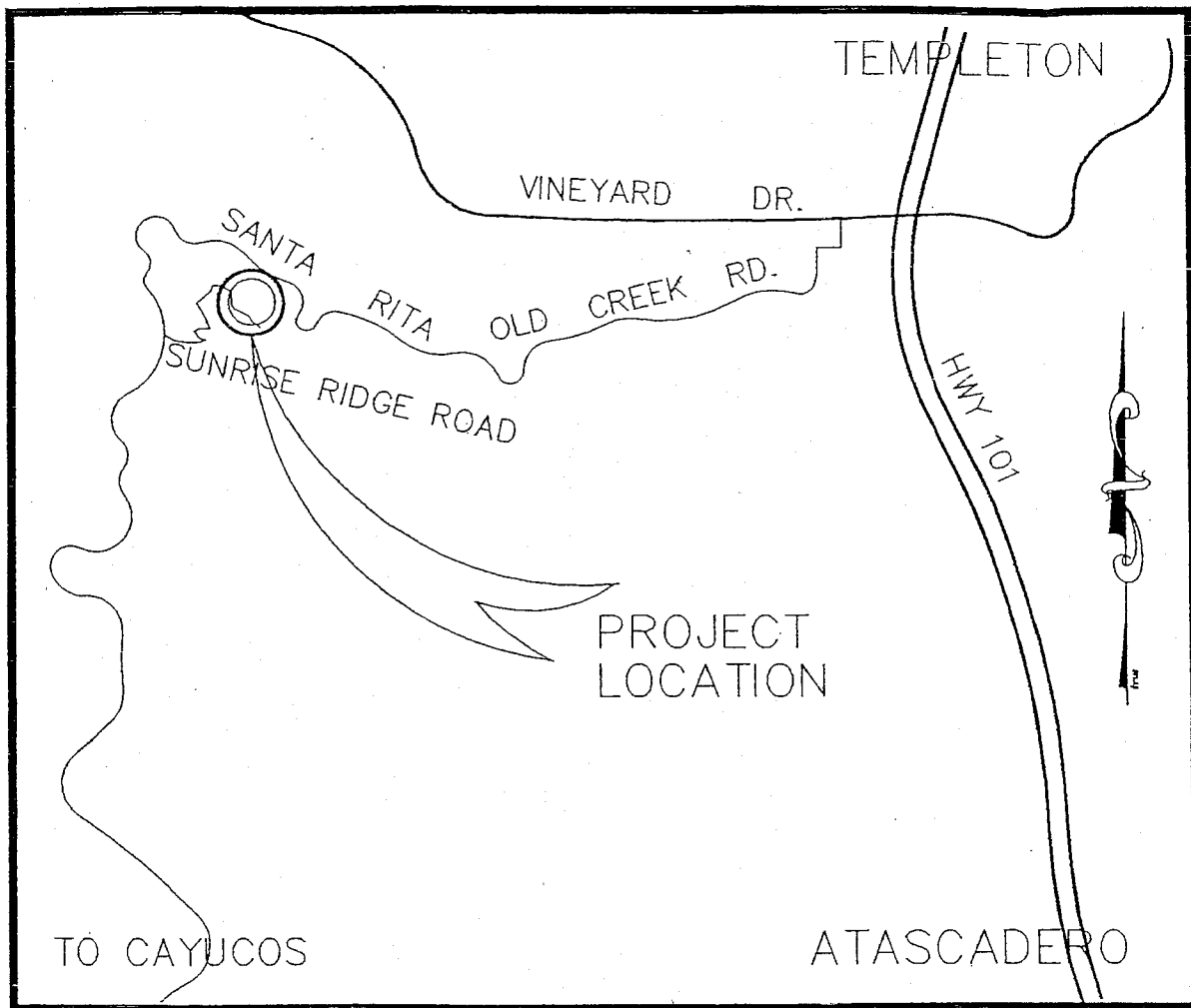
Site Plan



PROJECT

Heinbockel
PMT2004-03336

3770 SUNRISE RIDGE ROAD, TEMPLETON, CA.



PROJECT

Heinbockel
PMT2004-03336



EXHIBIT

Vicinity Map